

Declaration of Nimrod T. Chapel, Jr.
(Pursuant to 28 U.S.C. § 1746)

I, Nimrod T. Chapel, Jr., hereby declare and state as follows:

1. I am over the age of 18. I have personal knowledge of the facts set forth in this declaration and could and would testify competently to those facts if called as a witness.
2. I am president of the Missouri State Conference of the National Association for the Advancement of Colored People (“NAACP”).
3. The mission of the NAACP is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate race-based discrimination. Its objectives include seeking enactment and enforcement of laws securing civil rights as well as educating persons as to their rights.
4. The NAACP and its affiliates have long engaged in diverse education-related litigation throughout the U.S. and Missouri as organizational plaintiffs and counsel, including on the issues of school desegregation, school board elections, and student rights. This has included recent cases in this Court, *Liddell v. Bd. of Educ. of City of St. Louis*, 2021 WL 254015 (E.D. Mo. Jan. 26, 2021) (ongoing case since 1970s regarding racial segregation and discrimination in operation of St. Louis Public Schools); *Mo. State Conf. of the Nat’l Ass’n for the Advancement of Colored People v. Ferguson-Florissant Sch. Dist.*, 201 F. Supp. 3d 1006, 1021 (E.D. Mo. 2016), *aff’d*, 894 F.3d 924 (8th Cir. 2018) (finding school board voting scheme violated Voting Rights Act by diluting African-American voting power),

as well as landmark cases at the Supreme Court of the United States and the Missouri Supreme Court.

5. NAACP is a membership organization. NAACP members reside throughout Missouri, including in St. Charles County.
6. NAACP members who reside in Missouri are members of the Missouri State Conference.
7. NAACP members who reside in St. Charles County are members of the St. Charles County Missouri Unit.
8. Z.L. and T.K., the parents who initiated this lawsuit on behalf of their children who attend Wentzville R-IV School District, are members of the NAACP who reside in St. Charles County Missouri and, thus, are members of both the Missouri State Conference of the National Association of the Advancement of Colored People and the St. Charles County Missouri Unit of the National Association of the Advancement of Colored People.
9. Additionally, parents of other Wentzville R-IV School District students who are not parties named in this case are also members of the NAACP residing in St. Charles County Missouri, and, therefore, are members for both the Missouri State Conference of the National Association of the Advancement of Colored People and the St. Charles County Missouri Unit of the National Association of the Advancement of Colored People.
10. One member is the parent of two children—one in eighth grade and the other in eleventh grade—who attend Wentzville R-IV School District. She intends for her

children to remain as students in the district until they graduate from high school. She objects to the book removal policy and the removal of books after the initiation of a challenge by a parent, guardian, or student because she wishes her children to have access to library materials that express a diversity of ideas and viewpoints, including the viewpoints of racial and sexual minorities common to the books challenged this and removed this school year. Moreover, she wants her children to be able to access library materials without the encountering the stigma associated with accessing material that appears to have been deem bad or worthless by being removed—even temporarily—by school officials because of a challenge. Furthermore, if

11. Consistent with its purpose, NAACP seeks to protect the right of students to access inclusive storytelling and viewpoints that provide an opportunity to develop a deeper understanding of the inequities that exist in society and to hear from the voices of those marginalized in society as well as to be free from government censorship.
12. The NAACP supports providing students with access to materials that expose them to a diversity of viewpoints and perspectives about issues including race.
13. NAACP members and their children should be free to choose to learn about a variety of ideas and subject matters without stigmatization.
14. The books removed from Wentzville school library shelves after being challenged include several books which are by Black authors and address diverse race-related themes and viewpoints, namely *The Bluest Eye*, by Toni Morrison; *All Boys Aren't*

Blue, by George M. Johnson; and *Heavy: An American Memoir*, by Kiese

Laymon. The other books removed after a challenge express viewpoints of other racial minorities and sexual minorities.

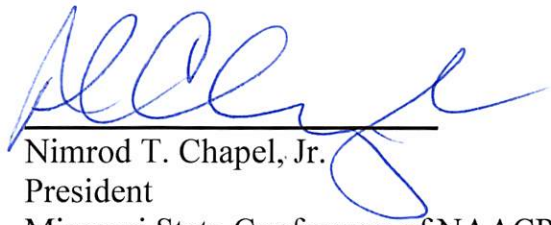
15. Additional books which are by Black authors and address race-related themes and viewpoints have also been targeted for removal from Missouri school libraries.

16. Critical race theory is an academic and legal framework for recognizing the systemic racism endemic in American society. Some book challengers misconstrue the meaning and importance of critical race theory by mistakenly framing their attempts to ban diverse books with race-related themes and by non-white authors from school library shelves as a fight against the teaching of critical race theory.

17. The NAACP and its members have been harmed by the removal of books from Wentzville R-IV School District libraries and fear that additional books will be banned based on their viewpoint in the future.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 10, 2022.



Nimrod T. Chapel, Jr.
President
Missouri State Conference of NAACP